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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,002	05/01/2001	Hyung-Chul Kim	678-600 (P9393)	4813
28249	7590	09/20/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			NGUYEN, LE V	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/847,002	Applicant(s) KIM, HYUNG-CHUL	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to an amendment filed 6/27/05.
2. Claims 1-8 are pending in this application; and, claims 1, 4 and 6 are independent claims. Claim 6 has been amended; and, claim 7 has been cancelled. This action is made final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of Smethers.

As per claim 1, Smith teaches a method for changing a menu icon in a mobile telephone, the method comprising:

downloading menu icon data from a server connected to a network (fig. 2; col. 4, lines 34-36; col. 10, lines 21-51; col. 8, lines 60-63 and 13-15; col. 11, lines 14-16; col. 14, lines 5-8 and 39-40; *downloading menu icon data for a telephone directory/menu from a server such as a central server or another mobile phone*);

converting the menu icon data to icon form suitable for a display of the mobile telephone and storing the converted menu icon data as menu icons (figs. 6 and 8-10; *inherent that icon data be converted to a displayable form given that it is displayed*);

Art Unit: 2174

upon receipt of an icon set change request from a user, displaying a set of the stored icons (fig. 8C; col. 7, lines 26-28, 48-49 and 51-52; *upon receipt of an icon set change via selection of button 832 from a user, screen 840 displays an icon menu 841 containing several pre-designed icons*); and

displaying desired ones of a set of the menu icons by selection of the user on a main menu screen (figs. 6 and 8C; col. 6, lines 47-62; col. 7, lines 26-28, 48-49 and 51-52; *displaying desired ones of a set of the menu icons by selection of the user via selection of icon(s) 832 on a main menu screen 830 then selection of an icon of icon menu 841 after menu icon data are downloaded and stored in the appropriate field of table 600*).

Smith does not explicitly disclose the server being a web server connected to an IP network. Smethers teaches a method comprising a mobile telephone wherein the mobile telephone is coupled to a web server connected to an IP network (col. 5, lines 14-18). Therefore, it would have been obvious to an artisan at the time of the invention to include Smoother's mobile telephone wherein the mobile telephone is coupled to a web server connected to an IP network to Smith's mobile telephone wherein the mobile telephone is coupled to a server connected to an communications network in order to provide users with an implementation preference.

As per claim 2, the modified Smith teaches a method for changing a menu icon in a mobile telephone wherein in the downloading step, the menu icon data downloaded from the web server is transmitted to an SMS center and the SMS center transmits the

Art Unit: 2174

menu icon data together with SMS data to the mobile telephone through a base station transceiver subsystem (BTS) (Smith: col. 11, lines 10-14).

As per claim 3, the modified Smith teaches a method wherein the menu icon data is segmented into a plurality of SMS data before transmission and is reassembled into original menu icon data at the mobile telephone (Smith: figs. 6 and 8-10; col. 4, lines 64-67; col. 11, lines 15-16 and col. 6, lines 61-62; col. 7, line 26 through col. 8, line 10).

Claim 4 is similar in scope to claim 1 except for storing icons in a database and data being downloaded through a cable or LAN, which the modified Smith also teaches (Smith: fig. 6; col. 6, lines 61-62; col. 10, lines 21-51; col. 8, lines 60-63 and 13-15; col. 11, lines 14-16; col. 14, lines 5-8 and 39-40; Smethers: col. 5, lines 14-18; *connection to LAN, i.e. connection to a proxy server*).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of Smethers as applied to claim 1.

As per claim 5, although the modified teaching of Smith teaches a method for changing a menu icon in a mobile telephone wherein the mobile telephone is coupled to an IP network and is in communication with a computer and wherein the editing comprises accessing and selecting menu icons and editing the menu screen configuration using the menu icons stored in a computer database (Smith: col. 7, line 26 through col. 8, line 10; col. 11, lines 12-16; col. 8, lines 22-23; col. 6, lines 40-44), the modified Smith does not explicitly disclose that the menu icons are selected and downloaded from an icon providing Web site using a personal computer. Official Notice is taken that selecting and downloading menu icons from an icon providing Web site

Art Unit: 2174

using a personal computer is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include selecting and downloading menu icons from an icon providing Web site using a personal computer to the modified teaching of Smith wherein selection and downloading of menu icons stored in a computer database in order to provide users with an alternative source for downloading data.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of Screen Dumps of Netscape Communicator 4.75 ("Communicator").

As per claim 6, Smith teaches a method for editing a main menu configuration in a mobile telephone (col. 10, lines 21-51; col. 8, lines 60-63 and 13-15; col. 11, lines 14-16; col. 14, lines 5-8 and 39-40), comprising: displaying a menu edit screen, if a menu edit submenu is selected (fig. 8A; *displaying menu edit screen 811, if a menu edit submenu "NAME LIST" is selected*); displaying a menu configuration submenu, if a menu configuration edit submenu is selected (figs. 8(A-C); *displaying menu configuration submenu 820/830/840, if a menu configuration edit submenu "NEW NAME", "DELETE NAME" or "CREATE CARD" is selected*); editing a menu configuration by newly selecting a screen object of the menu configuration submenu to be displayed on the main menu (figs. 8(B-C) and 13(A-B); *editing the directory/menu configuration by newly selecting a screen object such as icon(s)/screen object(s) 832 of the menu configuration submenu 820/830/840*); and inputting titles of the newly selected fields and storing the edited menu configuration with a title input by a user (figs. 8(B-C)

Art Unit: 2174

and 13(A-B); col. 7, lines 22-23; col. 8, lines 3-10; *inputted titles such as "AND@USA.RICH.COM..." of the newly selected fields are stored*); and, displaying the menu configuration titles edited by a user, if a menu configuration select submenu is selected on the menu edit screen and changing the main menu configuration displayed on a display of the mobile telephone to the edited menu configuration selected by a user (col. 10, lines 21-51; col. 8, lines 60-63 and 13-15; col. 11, lines 14-16; col. 14, lines 5-8 and 39-40). Smith does not explicitly disclose editing the main menu configuration by newly selecting submenus.

Communicator teaches a method for editing the main menu configuration by newly selecting submenus; moreover, Communicator teaches displaying a menu edit screen, if a menu edit submenu is selected (figs. 1-2; *displaying menu edit screen 210, if "Edit Bookmarks" 105/menu edit submenu is selected*); displaying a menu configuration submenu, if a menu configuration edit submenu is selected (fig. 3; *displaying a menu configuration submenu 425, if a menu configuration edit submenu 315 is selected*); editing a menu configuration by newly selecting submenus of the menu configuration submenu (fig. 3; *editing a menu configuration by newly selecting folder/submenus of the menu configuration submenu 425 upon user selection of "OK"*); inputting titles of the newly selected submenus and storing the edited menu configuration with a title input by a user (figs. 3-4; *titles are inputted in the "Name" or "Description" field*); and, displaying the menu configuration titles edited by a user, if a menu configuration select submenu is selected on the menu edit screen and changing the main menu configuration displayed on a display of the mobile telephone to the

edited menu configuration selected by a user (Communicator: figs. 2 and 5(A-B); *depicted in figs. f(A-B) are menu configuration titles edited by a user, if a menu configuration select submenu 245 is selected on the menu edit screen 210, and users change displayed main menu configuration to selected edited menu configuration via copy and paste hot keys operation such as curl and curl*). Therefore, it would have been obvious to an artisan at the time of the invention to include Communicator's teaching of editing the main menu configuration by newly selecting submenus to Smith's teaching of editing the main menu configuration by newly selecting submenus to Smith's teaching of editing the main menu configuration by newly selecting screen object(s) in order to provide users with an additional method of organizing screen objects and a method of organizing screen objects of a hierarchical type.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of in view of Screen Dumps of Netscape Communicator 4.75 ("Communicator") as applied to claim 6, and further in view of Knaggy et al. ("Knaggy")

As per claim 8, the modified Smith teaches a method for editing a main menu configuration in a mobile telephone comprising access to a menu edit submenu and displaying the menu edit submenu (Smith: fig. 8A; Communicator: figs. 1-2). The modified Smith does not explicitly disclose an edit submenu wherein prior to accessing the menu edit submenu, users are requested to input an input lock code wherein determination is made whether the inputted lock code is identical to a prescribed lock code to display the menu edit submenu. Knaggy teaches a mobile telephone users may designate a password to correspond with a different storage area or correspond to



Art Unit: 2174

varying levels of programming access (col. 2, lines 24-63; *i.e. a first password permitting user access only to the user-programmable system parameter storage area 130 while a second password may permit user access to the semi-permanent system parameter storage area 128 in addition to the user-programmable system parameter storage area*). Therefore, it would have been obvious to an artisan at the time of the invention to include Knaggy's teaching of a mobile telephone users may designate a password to correspond with a different storage area or correspond to varying levels of programming access to the modified Smith's method for editing a main menu configuration in a mobile telephone in order to provide a user with a method that prevents selected content from being over-written.

### ***Response to Arguments***

8. Applicant's arguments filed 6/27/05 have been fully considered but they are not persuasive:

Applicant argued the following:

Neither Smith nor Smethers teach downloading of menu icon or icons downloaded from a database. Moreover, neither Smith nor Communicator teach the mobile telephone is changed to the edited menu configuration selected by the user.

The examiner disagrees for the following reasons:

Art Unit: 2174

Smith teaches: 1) a telephone network storing CLID information, including names, telephone numbers and icons/menu icon data associated with the telephone numbers (Smith: col. 10, lines 21-25), so that when 2) a call is transmitted to the receiver's mobile telephone (Smith: col. 10, line 39), and 3) there is no match, the CLID information with the transmitted icon/menu icon data is displayed (Smith: col. 10, lines 46-47) wherein the user is presented with an option to create an EBC using the transmitted CLID information and the associated icon/menu icon data (Smith: col. 10, lines 49-51), to form 4) a directory/main menu (col. 8, lines 60-61; *additionally the Ebbs presented in the directory/menu may be downloaded from a central server, col. 11, lines 14-16*), whereby 5) users may edit any field of the EBC in the directory/main menu, which included icon/menu icon data and titles, of the directory/main menu such as by selecting information icon 1211 to display a submenu comprising the EBC and its associated plurality of icons/menu icon data in full view (col. 9, line 66 through col. 10, line 3). Furthermore, the modified Smith teaches that the EBC with the menu icon data may be stored in a central location (Smith: col. 8, lines 13-15) of a database (Smith: col. 14, lines 5-8 and lines 39-40).

### ***Inquires***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

Art Unit: 2174

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN  
Patent Examiner  
Septembre 8, 2005

*Kristine Kincaid*  
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